

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NEVIN P. COOPER-KEEL, JD,

Plaintiff,

Hon. Sally J. Berens

v.

Case No. 1:22-cv-189

STATE OF MICHIGAN, et al.,

Defendants.

ORDER

The Court has before it Plaintiff's Motion to Extend Time Under Fed. R. Civ. P. 6(b)(1)(B) for Excusable Neglect (ECF No. 44), pursuant to which Plaintiff seeks an extension of time to file a brief in support of his motion for leave to amend his pleadings. Plaintiff appears to misinterpret the status of his motion for leave to amend; it is no longer pending.

Plaintiff filed a motion for leave to amend his complaint on November 28, 2022. (ECF No. 40). On November 29, 2022, the Court issued an order holding Plaintiff's motion in abeyance pending Plaintiff's filing of a certificate pursuant to Local Rule 7.1(d). The order gave Plaintiff five days to comply. (ECF No. 41.) When Plaintiff failed to comply, his motion for leave to amend was dismissed pursuant to an order entered on December 12, 2022. (ECF No. 42.) Therefore, no motion is pending before the Court for which a brief is required, and incidentally, Plaintiff's current motion likewise fails to comply with Local Rule 7.1(d) as Plaintiff failed to file a separate certificate setting forth his efforts to obtain concurrence from the opposing party.

Accordingly, Plaintiff's motion is properly **DENIED**.

IT IS SO ORDERED.

Dated: January 11, 2023

/s/ Sally J. Berens
SALLY J. BERENS
U.S. Magistrate Judge